

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America

v.

KENNETH EUGENE JACKSON

Date of Previous Judgment: 08/26/1998
(Use Date of Last Amended Judgment if Applicable)

)

)

)

)

)

)

Case No: 1:97CR310-02

USM No: 14550-058

Claire J. Rauscher

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 150 months is reduced to time served.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 39

Amended Offense Level: 37

Criminal History Category: III

Criminal History Category: III

Previous Guideline Range: 324 to 405 months

Amended Guideline Range: 262 to 327 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

Other (explain): The Court has considered the factors set forth in 18 U.S.C. § 3553(a), *United States v. Booker*, the Government's objections to the motion, the Defendant's exemplary record during incarceration, his current release status, as well as public safety and post-sentence conduct. In accordance with USSG § 1B1.10 of the 2007 United States Sentencing Guidelines, the Defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **TIME SERVED**.

III. ADDITIONAL COMMENTS

It is further ordered that as a condition of supervised release, the defendant shall submit to the local Residential Reentry Center for a period not to exceed 90 days, with work release, at the direction of the U.S. Probation Office.

Except as provided above, all provisions of the judgment 08/26/1998 shall remain in effect.

IT IS SO ORDERED.

Order Date: _____

Effective _____
(if different from order)



Lacy H. Thornburg
United States District Judge

